

ATTORNEYS AT LAW

Thornton & Naumes LLP

Michael P. Thornton (NH, ME & MA)
John T. Barrett (NH & MA)
Robert T. Naumes
Neil T. Leifer (ME, NJ & MA)
David J. McMorris (NY & MA)
Edwin I. Wallace
Robert M. Byrne, Jr. (NY & MA)
David C. Strouss
Joseph R. Donohue (ME & MA)

Andrew S. Wainwright (NY, MA)
Michael A. Lesser
Marilyn T. McGoldrick
Garrett J. Bradley (NY & MA)
Brad J. Mitchell
Kristen Marquis Fritz
Zoran Malesevic
Robert T. Naumes, Jr. (CT & MA)
Andrea C. Marino

Of Counsel
Elizabeth M. Shost
Admitted in NY & PA only

September 28, 2006

Bethany A. Healy
Deputy Clerk
U.S. District Court
District of Massachusetts
Federal Bldg. & Courthouse
1550 Main Street
Springfield, MA 01103

RE: Paul T. Papadakis vs. CSX Transportation, Inc.
United District Court/Massachusetts C.A. No.: 04-30189-MAP

Dear Ms. Healy,

Pursuant to an agreement reached during our telephone conversation regarding the above matter, the Plaintiff is prepared to commence trial on January 2, 2007 at 9:00 AM. It is my understanding that Judge Neiman will be trying full days and a new scheduling order will be issued some time during the next several weeks.

If the above is unclear or you have any questions, please do not hesitate to contact me.

Very Truly Yours,



Robert M. Byrne, Jr.

RMB/mm

CC: Valerie Murphy, Esq.